

**SAMPLE LANGUAGE FOR USE BY A POLITICAL SUBDIVISION TO INITIATE 45 DAY PUBLIC INFORMATION PERIOD
PRIOR TO ELECTING MEMBERSHIP IN THE MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM**

The **(governing body)** of the **(name of subdivision)** has received cost information for possible membership in the Missouri Local Government Employees Retirement System. In accordance with Section 105.675 Revised Statutes of Missouri, said cost information shall be made available for public inspection for at least 45 calendar days from today prior to adoption of membership. Interested parties may view a copy of this cost information at _____ and or/by contacting _____.

**LANGUAGE FOR ADOPTION OF THE
MISSOURI LOCAL GOVERNMENT EMPLOYEES RETIREMENT SYSTEM**

RESOLUTION/ORDINANCE NO: _____

WHEREAS, the **(governing body – (governing body), council, commission,)** of the **(name of subdivision)** desires to provide retirement benefits for its eligible employees under the Missouri Local Government Employees Retirement System (LAGERS), pursuant to the provisions of Sections 70.600 through 70.755, RSMo and has complied with the notice and filing requirements of Section 105.675 RSMo; and

WHEREAS, the (governing body – board, council, commission) of (name of subdivision) understands that, by joining LAGERS, the (governing body – board, council, commission) of (name of subdivision) is accepting the legal obligation to fully fund the elected benefits now and in the future and that it will be financially able to do so.

WHEREAS, employees of **(name of subdivision) (do / do not)** participate in the federal Social Security program; and

WHEREAS, the **(governing body)** of the **(name of subdivision)** agrees not to continue or commence coverage of its current or future employees under another retirement plan similar in purpose to LAGERS as is prohibited by Sections 70.615 and 70.620 RSMo.

NOW, THEREFORE, BE IT **RESOLVED/ORDAINED** that the **(governing body)** of the **(name of subdivision)**, a “political subdivision,” as defined in Section 70.600(19) RSMo , hereby elects to become a participating employer of the Missouri Local Government Employees Retirement System, as defined in Section 70.600(11), and to thereby provide retirement benefits to all its eligible **(1)** under Benefit Program **(2)**, pursuant to Section 70.655.1 RSMo; and

BE IT FURTHER **RESOLVED/ORDAINED** that all employment prior to the date **(name of subdivision)** becomes a participating employer is to be considered for vesting purposes for current employees and for determining the beginning date of employer contributions for employees hired and/or employed during this period but not for the calculation of credited service or final average salary; and

BE IT FURTHER **RESOLVED/ORDAINED** that “membership service,” as defined in Section 70.600(15), refers to any period of employment beginning or rendered on or after the date the **(name of subdivision)** becomes a LAGERS employer. Such service shall be considered for purposes of vesting, calculating credited service, and calculating final average salary; and

BE IT FURTHER **RESOLVED/ORDAINED** that the **(governing body)** of the **(name of subdivision)** hereby elects that employees eligible to become members of LAGERS are those employees employed in positions normally requiring **(4)** hours of work a year, provided such employees are not members of another governmental retirement plan, or are otherwise excluded from membership in LAGERS by state law, pursuant to 16 CSR 20-2.010(B); and

BE IT **FURTHER RESOLVED/ORDAINED** that the **(governing body)** of the **(name of subdivision)** hereby elects to have the “final average salary” of its employee members determined over a **(5)** consecutive-month period pursuant to the provisions in Sections 70.600(12) and 70.656 RSMo; and

BE IT **FURTHER RESOLVED/ORDAINED** that the **(governing body)** of the **(name of subdivision)** hereby elects to require employees who become members of LAGERS to pay **(6)** employee contributions to LAGERS, pursuant to Section 70.705 RSMo; and

BE IT **FURTHER RESOLVED/ORDAINED** that the **(governing body)** of the **(name of subdivision)** hereby elects the **(7)** for all eligible employees in accordance with Sections 70.600(16) or 70.646 RSMo; and

BE IT **FURTHER RESOLVED/ORDAINED**, that the **(governing body)** of the **(name of subdivision)** agrees to hold LAGERS harmless from any liability with respect to this transaction, apart from those obligations imposed on LAGERS by Sections 70.600 – 70.755 RSMo, provided the transaction is completed according to the terms contained herein; and

BE IT **FURTHER RESOLVED/ORDAINED** that the **(title of fiscal officer of the (name of subdivision))** is hereby authorized and directed to deduct from the wages or salaries of each employee member, the employee contributions, if any, required by Section 70.705, RSMo, and to promptly remit such contributions to LAGERS, along with the employer contributions required by Sections 70.705, 70.730, and 70.735 RSMo. It is understood there is no statutory provision for a participating political subdivision to terminate its membership under LAGERS; and

BE IT **FURTHER RESOLVED/ORDAINED** that the **(title of employer official or officials)** of the **(name of subdivision)** are hereby authorized and directed to take all actions, sign all documents, and to do any and all things and take any and all actions required to place the foregoing resolutions into effect, including the revision of any relevant ordinances and resolutions of the **(name of subdivision)** which shall be promptly submitted the **(governing body)** for approval; and

BE IT **FURTHER RESOLVED/ORDAINED** that **(name of subdivision)** participation as a LAGERS employer will commence on the **first day of _____, 20_____.**

Signature **(Presiding Officer of Governing Body)**

CERTIFICATION

I hereby certify that the above **Resolution/Ordinance** is a true and correct copy of a **Resolution/ Ordinance** that was duly enacted by the **(governing body)** of **(name of subdivision)**.

Date

Signature **(Secretary/Clerk)**

OPTIONS

1. Elect Group(s) of Employees to be Covered:

- General employees
- General employees and Police Officers
- General employees, Police Officers and Firefighters
- General employees and Firefighters

2. Elect the Benefit Program for all Covered Employees:

- L-1 (1.00% life allowance)
- L-3 (1.25% life allowance)
- L-7 (1.50% life allowance)
- L-12 (1.75% life allowance)
- LT-4(65) (1.00% life allowance, plus 1.00% temporary allowance to age 65)
- LT-5(65) (1.25% life allowance, plus 0.75% temporary allowance to age 65)
- LT-8(65) (1.50% life allowance, plus 0.50% temporary allowance to age 65)
- LT-14(65) (1.75% life allowance, plus 0.25% temporary allowance to age 65)
- L-6 (2.00% life allowance)
- L-11 (2.50% life allowance) Available only to political subdivisions not in Social Security

3. Elect the amount of Prior Service to be covered for All Employees:

- 100% 75% 50% 25% 0%

4. Elect the amount of Annual Hours an employee must work to be covered:

- 1,500 1,250 1,000

5. Elect the number of months for the Final Average Salary calculation:

- 36 60

6. Elect if the employees will be required Contribute to LAGERS:

- “4% of gross salary and wages as”
- or
- “no.” (If “no” is indicated, the political subdivision is responsible for all required contributions.)

7. Elect the Retirement Eligibility for covered employees:

- “minimum service retirement age”
- or
- “alternate retirement option (Rule of 80)”